

Remarks

Claim Rejections under 35 U.S.C. § 103(a)

The only remaining rejection in the application is the rejection of Claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,017,495 (Ljungmann). Applicants respectfully request entry of the amendments to independent claims 1 and 10 presented above.

The amendments are identical and would further limit the characterizing step of Claim 1 and Claim 10 to read as follows:

“optimizing throughput on the basis of minimal movement distances of said transport device *for a given spacing of said processing stations.*”

The amendment is necessary to distinguish Claims 1-10 over the teaching of Ljungmann of minimizing the distances between processing stations, which has been held to meet the claimed optimizing step as it was previously worded. In particular, the wording makes clear that the step of optimizing throughput is carried out for a given spacing of the processing stations. Consequently, minimizing the distance between processing stations would not teach or suggest the optimizing step, as amended, which is performed for a given spacing of the processing stations, whatever that given spacing may be.

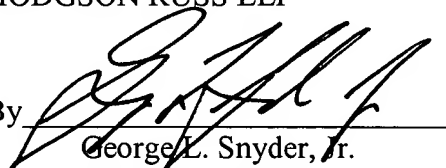
The amendment was not presented earlier because Applicants, and Applicants' attorneys, had a genuine belief that the previous wording of Claims 1 and 10 was patentable over Ljungmann. The Examiner's explanation in the most recent Office Action is persuasive and has caused the Applicants to formulate the present amendment to properly claim what Applicants believe to be allowable subject matter.

In view of the foregoing, it is respectfully requested that the Examiner exercise his discretion to enter the present amendment of Claims 1 and 10 and issue a Notice of Allowance in this application.

Respectfully submitted,

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